IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPLICATION NO.3 OF 2000

Credit Agricole Indosuez ..Applicant

Vs.

Commissioner of Income Tax ..Respondent

Mr.H.Toor i/b. Cr.Bayley & Co. for the Applicant.
Mr.B.M.Chatterjee with Mrs.P.P.Bhosale for the Respondent.

CORAM :- DR.S.RADHAKRISHNAN &
V.C.DAGA, JJ.

DATE : 16TH APRIL, 2007

P.C.

1. Heard the learned Counsel for the parties. In the present matter, the following substantial question of law is sought to be raised:

> 1. "Whether on the facts and in the circumstances of the case, the Hon'ble Tribunal was right in holding that the applicant is liable to pay tax on interest on sticky loans though not credited in the accounts for the year?"

2. Both the learned Counsel for the parties fairly state that the above question of law is squarely covered by the Hon'ble Supreme Court in the case of **UCO Bank Vs. Commissioner of Income Tax 237 ITR 889** and also a Division Bench of our High Court in the case of **American Express International Banking Corporation Vs. Commissioner of Income Tax 258 ITR 601**, in favour of the Assessee and against the Revenue.

3. In view thereof, by consent, this Application itself is treated as Statement of Case in an Income Tax Reference and the above question is answered in favour of the Assessee and against the Revenue.

Accordingly, the Application stands disposed of.

(V.C.DAGA,J.) **(DR.S.RADHAKRISHNAN,J.)**